

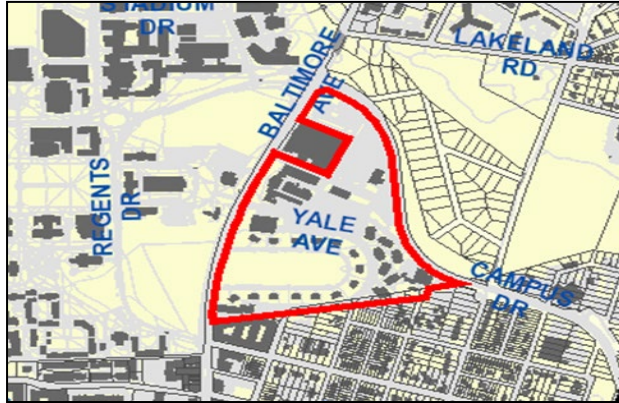


Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

## Preliminary Plan of Subdivision Discovery District

**4-22034**

REQUEST	STAFF RECOMMENDATION
Extension of the preliminary plan of subdivision validity period.	APPROVAL of six-month extension

<b>Location:</b> At the southeast quadrant of the intersection of US 1 (Baltimore Avenue) and Campus Drive.			
Gross Acreage:	42.91		
Zone:	LTO-E		
Prior Zone:	M-U-I/D-D-O		
Reviewed per prior Subdivision Regulations:	Section 24-1704(a)		
Gross Floor Area:	915,402 sq. ft.		
Dwelling Units:	353		
Lots:	0		
Parcels:	9		
Planning Area:	66		
Council District:	03		
Municipality:	College Park		
<b>Applicant/Address:</b> Brandywine MD Discovery District, LLC 1676 International Drive, Suite 500 McLean, VA 22102		Planning Board Date:	04/17/2025
<b>Staff Reviewer:</b> Jason Bartlett <b>Phone Number:</b> 301-780-2465 <b>Email:</b> Jason.Bartlett@ppd.mncppc.org		Planning Board Action Limit:	N/A
		Mandatory Action Timeframe:	N/A
		Staff Report Date:	04/01/2025
		Date Accepted:	03/04/2025
		Informational Mailing:	N/A
		Acceptance Mailing:	N/A
		Sign Posting Deadline:	N/A

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at

[http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/).

Please call 301-952-3530 for additional information.



April 1, 2025

**MEMORANDUM**

TO: The Prince George's County Planning Board

VIA: Mridula Gupta, Acting Planning Supervisor, Subdivision Section *MG*  
Development Review Division

FROM: Jason Bartlett, Planner II, Subdivision Section *JB*  
Development Review Division

SUBJECT: **Preliminary Plan of Subdivision 4-22034**  
**Discovery District**  
**Extension Request**

This preliminary plan of subdivision (PPS) was approved by the Prince George's County Planning Board on February 16, 2023, and the resolution of approval was adopted on March 9, 2023 (PGCPB Resolution No. 2023-17). PPS 4-22034 approved nine parcels for 285 multifamily dwellings, 524,000 square feet of commercial development, and existing university buildings. PPS 4-22034 is valid until March 9, 2025. By letter dated March 4, 2025, Lawrence N. Taub of O'Malley, Miles, Nylen & Gilmore, P.A., on behalf of the applicant, Brandywine MD Discovery District, LLC, requested a six-month extension until September 9, 2025. This is the applicant's first extension request.

PPS 4-22034 was approved in accordance with the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations which were in existence prior to April 1, 2022 (hereby referred to as prior Zoning Ordinance and prior Subdivision Regulations). In accordance with Section 24-1704(a) of the Subdivision Regulations, subdivision approvals of any type remain valid for the period of time specified in the Subdivision Regulations under which the subdivision was approved. In addition, extensions of time which were available under those Subdivision Regulations shall remain available.

Section 24-119(d)(5)(A) of the prior Subdivision Regulations authorizes the Planning Board to grant an extension to the normal expiration of a PPS. The criteria that must be considered are shown in **bold** text, and staff's analysis of conformance to each criterion is provided in plain text.

**Section 24-119(d):**

- (5) An approved preliminary plan of subdivision shall remain valid for two (2) years from the date of its approval, unless an extension of the validity period is granted.**

- (A) Extensions of the validity of an approved preliminary plan may be granted by the Planning Board provided:**

- (i) The request is filed prior to the expiration of the preliminary plan approval;**

This extension request was filed on March 4, 2025, prior to expiration of the PPS on March 9, 2025. Therefore, this criterion is met.

- (ii) The preliminary plan remains in conformance with all the requirements of Subtitle 27 applicable to the subject property;**

The property is within the Local Transit-Oriented (LTO) Zone and was previously in the Mixed-Use Infill (M-U-I) and Development District Overlay (D-D-O) Zones. At the time of the PPS approval, the requirements of the prior Zoning Ordinance (prior Subtitle 27) applied.

Pursuant to Section 24-1704(b) of the Subdivision Regulations, so long as a PPS remains valid, the project may proceed to the next steps in the approval process and continue to be reviewed and decided under the prior Zoning Ordinance. Therefore, the requirements of prior Subtitle 27 continue to apply. The PPS remains in conformance with these prior requirements, and staff find that this criterion is met.

- (iii) Two (2) years is not sufficient time to prepare the final plat(s);**

Before final plats can be prepared, the applicant needs to obtain approval of a detailed site plan (DSP), as required in the prior D-D-O Zone (2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*) and the prior Zoning Ordinance. DSP-22024 was approved by the Planning Board on June 8, 2023 (PGCPB Resolution No. 2023-77). The DSP was submitted, approved, and certified within two years of the PPS validity period. However, circumstances beyond the applicant's control have delayed acceptance and subsequent approval of the final plat. The applicant submitted Final Plat 5-24026 for review in February 2024, in accordance with the approved PPS. However, the final plat cannot be approved until the applicant satisfies two conditions of approval of PPS 4-22034, prior to approval of the final plat. Namely, these are Condition 3, which requires the applicant to provide a recorded public use access easement along portions of US 1; and Condition 8,

which requires the applicant to provide a recorded public access easement to the City of College Park to accommodate sidewalks on Campus Drive.

Over the preceding year, the applicant has diligently pursued satisfaction of these two conditions set forth in the PPS, to allow recordation of the required easements. However, the review and approval of these public easements has taken additional time not foreseen by the applicant. Specifically, during preparation of the required public use access easement documents for portions of US 1, it was determined that an existing access easement on the subject property would be affected. Initial discussions between the applicant and the University of Maryland concluded that an amendment to their existing easement would suffice to accomplish the requirements of the new public use easement. However, further discussions with the University eventually concluded that a new agreement would be required. This process took several months to conclude and was unexpected by the applicant. As such, staff find that this criterion is met.

**(iv) The applicant is not unduly delaying the filing of the final plat(s);**

The applicant is not unduly or purposefully delaying the filing of the final plats. As stated in staff's analysis above, the applicant expeditiously pursued and obtained approval and certification of the DSP. The applicant submitted their final plat within six months of the DSP approval. Furthermore, the final plat has been fully reviewed by staff, and the applicant has responded to all comments, save compliance with Conditions 3 and 8 of the PPS, regarding the aforementioned public easements. Staff, therefore, find that this criterion is met.

**(v) The validity of a preliminary plan consisting of less than one hundred (100) residentially-zoned lots or less than one hundred (100) gross acres of commercially or industrially-zoned land or land designated for nonresidential uses in any CDZ or M-X-T Zone shall not be extended more than one (1) year from the normal expiration of the approved preliminary plan;**

The PPS consists of nine parcels totaling 42.91 acres of land zoned M-U-I and D-D-O, for the development of 285 multifamily dwellings, 524,000 square feet of commercial development, and existing university buildings. Staff, therefore, find that this criterion is applicable. The applicant is requesting an extension that is not more than one year, therefore, this criterion is met.

Pursuant to the findings presented above, staff recommend that the Planning Board approve a six-month extension. If a six-month extension is approved, the PPS will be valid through September 9, 2025.